



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Takayuki WATANABE et al.

Serial No. 09/492,137

Filed January 27, 2000

EDIBLE POWDER MATERIAL  
HAVING EXCELLENT SHELF STABILITY

: Attn: BOX CPA

: Docket No. 00202/K-5 (Hase) /YE

: Group Art Unit 1761

: Examiner H. Mai

: Confirmation No. 9482

**PATENT OFFICE FEE TRANSMITTAL FORM**

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE DEFICIENCIES OR CREDIT  
OVERPAYMENT TO THIS ACCOUNT  
ACCOUNT NO. 23-0975.

Attached hereto is a check in the amount of \$2,180.00 to cover Patent Office fees relating to filing the following attached papers:

Continued Prosecution Application (CPA) . . . . . \$740.00

Petition for Extension of Time . . . . . \$1,440.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Takayuki WATANABE et al.

By:

  
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November 27, 2002

[Check No. 53123]  
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Revised PTO/SB/29 (02/01)



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable  
 DUPLICATE

<b>Address to:</b> Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No.	00202/K-5 (Hase) /YE
	First Named Inventor	Takayuki WATANABE et al.
	Confirmation No.	9482
	Express Mail Label No.	
	Total Pages	

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 09/492,137, filed on January 27, 2000, entitled **EDIBLE POWDER MATERIAL HAVING EXCELLENT SHELF STABILITY**.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application.

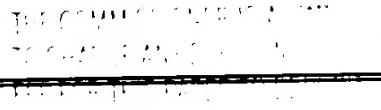
**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 USC 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning the other application or applications in the file jacket.

**35 USC 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 USC 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.  Enter the amendment previously filed on April 29, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:  
  
\_\_\_\_\_  
b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed:
  - a. PTO-1449
  - b. Copies of IDS Citations



CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	14 - 20 =	0	x \$18 =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1 - 3 =	0	x \$84 =	\$
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$280 =	\$
				BASIC FEE (37 CFR 1.16(e))	\$740.00
			Total of above Calculations =		\$740.00
			Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28):		\$
				TOTAL =	\$740.00

6.  Small entity status:

- a. Small Entity Statement is hereby asserted.
- b. Is no longer claimed.

7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. \_\_\_\_\_.

- a. Fees required under 37 CFR 1.16.
- b. Fees required under 37 CFR 1.17.
- c. Fees required under 37 CFR 1.18.

8.  A check in the amount of \$2,180.00 is enclosed.9.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.10.  Return Receipt Postcard.11.  Other: Petition for Extension (\$1,440.00).

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

#### 10. NEW CORRESPONDENCE ADDRESS

 Customer Number or Bar Code Label New correspondence address below

(Insert Customer No. or Attach bar code label here)

#### 12. CORRESPONDENCE ADDRESS



000513

PATENT TRADEMARK OFFICE

By:   
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November 27, 2002